



Senate

General Assembly

File No. 210

February Session, 2022

Senate Bill No. 20

Senate, March 30, 2022

The Committee on Higher Education and Employment Advancement reported through SEN. SLAP of the 5th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE NAME, IMAGE AND LIKENESS OF STUDENT ATHLETES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (c) and (d) of section 10a-56 of the 2022
2 supplement to the general statutes are repealed and the following is
3 substituted in lieu thereof (*Effective July 1, 2022*):

4 (c) Each institution of higher education shall adopt one or more
5 policies regarding student athlete endorsement contracts, [and]
6 employment activities and the use of institutional marks. Such policy or
7 policies shall include provisions for: (1) Requiring a student athlete to
8 disclose and submit a copy to his or her institution of higher education
9 of each endorsement contract, written agreement for employment and
10 representation agreement executed by the student athlete; (2)
11 prohibiting a student athlete from entering into an agreement that
12 conflicts with the provisions of any agreement to which the institution
13 of higher education is a party, provided such institution shall disclose
14 to the student athlete or the student athlete's attorney or sports agent

15 the provisions of the agreement that are in conflict; (3) [prohibiting a
 16 student athlete from using or consenting to the use of any institutional
 17 marks during such student athlete's performance of the endorsement
 18 contract or employment activity; (4)] prohibiting a student athlete's
 19 performance of the endorsement contract or employment activity from
 20 interfering with any official team activities or academic obligations; and
 21 [(5)] (4) identifying any prohibited endorsements.

22 (d) No provision of this section shall be construed to (1) require an
 23 institution of higher education or an athletic association or conference,
 24 including, but not limited to, the NCAA to compensate a student athlete
 25 for use of his or her name, image or likeness; (2) require a student athlete
 26 or any other person to compensate an institution of higher education or
 27 an athletic association or conference, including, but not limited to, the
 28 NCAA for a student athlete's endorsement contract or employment
 29 activity that is in accordance with the provisions of subsection (b) of this
 30 section; (3) qualify any scholarship that a student athlete receives from
 31 an institution of higher education as compensation; (4) qualify a student
 32 athlete as an employee of an institution of higher education; (5) require
 33 an institution of higher education to take any action in violation of the
 34 Discrimination Based on Sex and Blindness Act, 20 USC 1681, et seq., as
 35 amended from time to time; (6) prohibit a student athlete from engaging
 36 in an employment activity that entails coaching or performing a sport,
 37 provided such activity is not related to any intercollegiate athletic
 38 program; [or] (7) prohibit an institution of higher education from using
 39 a student athlete's name, image or likeness in connection with official
 40 team activities; or (8) require an institution of higher education to allow
 41 a student athlete to use or consent to the use of any institutional marks.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2022	10a-56(c) and (d)
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HED *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which requires institutions of higher education to adjust their policies to permit the use of institutional marks in student athlete endorsement contracts, results in no fiscal impact to the constituent units. The units have sufficient expertise to revise their policies.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**SB 20*****AN ACT CONCERNING THE NAME, IMAGE AND LIKENESS OF STUDENT ATHLETES.*****SUMMARY**

This bill eliminates the ban on student athletes using, or consenting to the use of, a higher education institution's institutional marks (i.e., name, logo, trademarks, mascot, unique colors, copyrights, and other defining insignia) when performing an endorsement contract or employment activity.

The bill does not require higher education institutions in the state to allow student athletes to use, or consent to the use of, these marks. But it does require them to adopt at least one policy on their use, as they must already do for endorsement contracts and employment activities.

EFFECTIVE DATE: July 1, 2022

BACKGROUND***Student Athlete Compensation***

PA 21-132, § 14, generally allows student athletes enrolled at a higher education institution in the state to (1) earn compensation through an endorsement contract or employment in an activity unrelated to an intercollegiate athletic program and (2) obtain legal or professional representation from an attorney or sports agent through a written agreement, as long as he or she complies with the higher education institution's policy on student athlete endorsement contracts and employment activities.

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 22 Nay 0 (03/17/2022)